

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. W.A.)
DREW EDMONDSON, in his capacity as)
ATTORNEY GENERAL OF THE STATE)
OF OKLAHOMA AND OKLAHOMA)
SECRETARY OF THE ENVIRONMENT)
C. MILES TOLBERT, in his capacity as the)
TRUSTEE FOR THE NATURAL)
RESOURCES FOR THE STATE OF)
OKLAHOMA,)

Plaintiff,)

v.)

Case No. 05-CV-00329 GKF-SAJ

TYSON FOODS, INC., TYSON)
POULTRY, INC., TYSON CHICKEN,)
INC., COBB-VANTRESS, INC., CAL-)
MAIN FOODS, INC., CAL-MAINE)
FARMS, INC., CARGILL, INC.,)
CARGILL TURKEY PRODUCTION, LLC,)
GEORGE'S, INC., GEORGE'S FARMS,)
INC., PETERSON FARMS, INC.,)
SIMMONS FOODS, INC., and WILLOW)
BROOK FOODS, INC.,)

Defendant.)

AFFIDAVIT OF BETTY ANDERSON

STATE OF OKLAHOMA)
) SS.
COUNTY OF CHEROKEE)

Betty Anderson, of lawful age, being first duly sworn, deposes and states as follows:

1. My name is Betty Anderson. My husband, Bill, and I raise cattle, chickens and hay. Our address is in Colcord, Oklahoma.
2. I make this affidavit in support of the amicus brief to be filed by Oklahoma Farm Bureau opposing the Attorney General's request for

an injunction. Everything in this affidavit is true and correct to the best of my information and belief.

3. We live in Delaware County. We have been in the poultry business for 21 years, and we have raised cattle beginning many years before that.
4. I am a member of the Oklahoma Farm Bureau.
5. We have four pullet houses and two breeder houses, and we raise cattle and hay on 557 acres that we own on three parcels in Delaware County. Two of the parcels are used for raising poultry, two are used for growing hay, and all three are used for cattle.
6. We built the first poultry house over twenty years ago to get the litter it would produce so that we could use it as fertilizer on the pastures that produce the hay to feed our cattle. We raise chickens for Cobb-Vantress. Using litter from our poultry operations has allowed us to create good grassland to be able to raise cattle where we had not been able to do so before. We run about 250 mama cows.
7. If the Attorney General is successful in getting the injunction and land application of litter is banned in the Illinois River watershed, then we would have to cut back on our cattle by at least one half. Given the price of urea, we could not afford to use urea or other commercial fertilizer on our grassland. It would not be cost-effective, and we would not make any money.
8. We found that poultry litter is good for the soil and took our fields from sage brush to hay pastures. It has happened all through this area. We used to drive to Siloam Springs and count the number of cattle on one hand, now you see many more pastures and lots of cattle grazing. Without fertilizer, the sage grass would return like it was before, and the land would not support the cattle.
9. Any finding that chicken litter is solid waste would completely shut down our poultry producing efforts. We could not afford to have to pay to have the chicken litter put in a landfill or otherwise disposed of like solid waste, while at the same time losing the benefits of using the litter as fertilizer, either on our own farm or selling it to others for their use.

10. We have been drinking our well water for more than sixty years. No one has gotten sick from drinking the water from wells that are on land on which litter has been applied.
11. When the Attorney General sent his people out to our farm to do soil samples, they wore the white hazmat suits to take the soil samples. Yet over the last twenty-one years no one in our family has gotten sick from working with or being around litter.

Dated this ____ day of February, 2008.

Betty Anderson
Betty Anderson

Subscribed and sworn to before me this 2 day of February, 2008.

Quidam J. [Signature]
Notary Public 02001569

My Commission Expires:

2. 17. 10

[SEAL]